

IFW

879-04



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/816,655	04/02/2004	Melissa J. DaVolentine	44810-0003

20822  
 RUDEN, MCCLOSKEY, SMITH, SCHUSTER & RUSSELL, P.A.  
 P.O. BOX 1900  
 FORT LAUDERDALE, FL 33301

CONFIRMATION NO. 9655

## FORMALITIES LETTER



\*OC000000012992671\*

Date Mailed: 06/18/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawings must be reasonably free from erasures and must be free from alterations, overwriting, interlineations, folds, and copy marks. See Figure(s) 1,2a,3,5-9.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- \$65 Late oath or declaration Surcharge.

08/20/2004 YPOLITE1 00000008 182262 10816655

01 FC:2051 65.00 DA

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

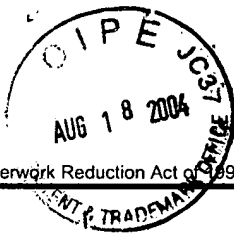
---

*A copy of this notice MUST be returned with the reply.*

Meaza W  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



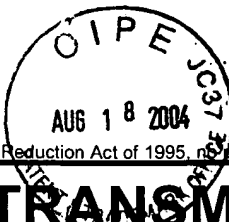
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	<b>Application Number</b>	10/816,655
	<b>Filing Date</b>	04/02/2004
	<b>First Named Inventor</b>	Melissa J. DeVOLENTINE
	<b>Group Art Unit</b>	3727
	<b>Examiner Name</b>	-
<b>Total Number of Pages in This Submission</b>		<b>Attorney Docket Number</b> 44810-0003

<b>ENCLOSURES (check all that apply)</b>		
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input checked="" type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Signed Declaration (PTO/SB/01)
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	Page 1 of Specification as filed
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	Part 2 - Notice to File...
<input type="checkbox"/> Response to Missing Parts/Incomplete Application	<b>Remarks</b>	Return Receipt Postcard
<input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		

<b>SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT</b>	
Firm or Individual name	Robert M. Schwartz, Esq. Ruden, McClosky, Smith, Schuster & Russell, P.A.
Signature	
Date	08/18/2004

<b>CERTIFICATE OF MAILING</b>			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: August 18, 2004			
Typed or printed name	Vernice V. Freebourn		
Signature		Date	08/18/2004



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	10816,655
Filing Date	04/02/2004
First Named Inventor	Melissa J. DeVolentine
Examiner Name	-
Group Art Unit	3727
Attorney Docket No.	44810-0003

**TOTAL AMOUNT OF PAYMENT** (\$) 65.00**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 18-2262  
Deposit Account Name: Ruden, McClosky, Smith, Schuster & Russell, P.A.

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101	740	201 370	Utility filing fee	
106	330	206 165	Design filing fee	
107	510	207 255	Plant filing fee	
108	740	208 370	Reissue filing fee	
114	160	214 80	Provisional filing fee	

**SUBTOTAL (1)** (\$) **2. EXTRA CLAIM FEES**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103	18 203 9		Claims in excess of 20
102	84 202 42		Independent claims in excess of 3
104	280 204 140		Multiple dependent claim, if not paid
109	84 209 42		** Reissue independent claims over original patent
110	18 210 9		** Reissue claims in excess of 20 and over original patent

**SUBTOTAL (2)** (\$) 0.00

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

	Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105	130 205 65		Surcharge - late filing fee or oath	65.00
127	50 227 25		Surcharge - late provisional filing fee or cover sheet	
139	130 139 130		Non-English specification	
147	2,520 147 2,520		For filing a request for <i>ex parte</i> reexamination	
112	920* 112 920*		Requesting publication of SIR prior to Examiner action	
113	1,840* 113 1,840*		Requesting publication of SIR after Examiner action	
115	110 215 55		Extension for reply within first month	
116	400 216 200		Extension for reply within second month	
117	920 217 460		Extension for reply within third month	
118	1,440 218 720		Extension for reply within fourth month	
128	1,960 228 980		Extension for reply within fifth month	
119	320 219 160		Notice of Appeal	
120	320 220 160		Filing a brief in support of an appeal	
121	280 221 140		Request for oral hearing	
138	1,510 138 1,510		Petition to institute a public use proceeding	
140	110 240 55		Petition to revive - unavoidable	
141	1,280 241 640		Petition to revive - unintentional	
142	1,280 242 640		Utility issue fee (or reissue)	
143	460 243 230		Design issue fee	
144	620 244 310		Plant issue fee	
122	130 122 130		Petitions to the Commissioner	
123	50 123 50		Processing fee under 37 CFR 1.17(q)	
126	180 126 180		Submission of Information Disclosure Stmt	
581	40 581 40		Recording each patent assignment per property (times number of properties)	
146	740 246 370		Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740 249 370		For each additional invention to be examined (37 CFR § 1.129(b))	
179	740 279 370		Request for Continued Examination (RCE)	
169	900 169 900		Request for expedited examination of a design application	

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)** (\$) 65.00**SUBMITTED BY**

Name (Print/Type): Robert M. Schwartz  
Signature:

Registration No. (Attorney/Agent): 29854

**Complete (if applicable)**

Telephone: 954-527-6252  
Date: 08/18/2004

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Melissa J. DeVolentine, et al. Confirmation No. 9655  
Serial No. 10/816,655  
Filed: April 2, 2004  
For: URBAN UTILITY BELT  
Group/Art Unit: 3727  
Mail Stop Missing Parts  
Commissioner for Patents  
Alexandria, VA 22313-1450

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Sir:

In response to the Notice to File Missing Parts of NonProvisional Application mailed June 18, 2004, enclosed herewith is a properly signed Declaration by the Inventors for the above-identified application. Also, submitted herewith are the requested replacement drawings, nine (9) sheets (Figs. 1-9) in compliance with 37 CFR 1.84 and 37 CFR 1.121.

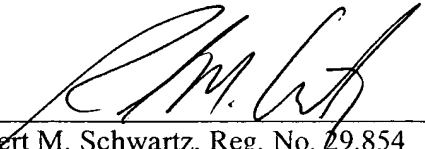
Additionally, please correct the first named Inventor's name to read: Melissa J. DeVolentine. Attached is a copy of page 1 of the specification contained in the original filing showing the correct spelling of the Inventors' names.

Part 2 of the Notice to File Missing Parts is attached hereto.

The Commissioner is hereby authorized to charge the required statutory fee of \$65.00 to our Deposit Account No. 18-2262. Should any additional fee be required in the prosecution of this application, the Commissioner is authorized to charge our Deposit Account.

Respectfully submitted,

August 18, 2004

By:   
Robert M. Schwartz, Reg. No. 29,854  
RUDEN, McCLOSKEY, SMITH, SCHUSTER &  
RUSSELL, P.A.  
200 East Broward Boulevard  
Fort Lauderdale, FL 33301  
Tel.: (954) 527-6252  
Fax: (954) 333-4252

Enclosures:

**EXPRESS MAIL "mailing label No. EV 323245702 US - Deposited: August 18, 2004**

**Certificate of Mailing under 37 CFR 1.10**

I hereby certify that these Papers are being deposited with the United States Postal Service "Express Mail Post Office to Addressee: service under 37 CFR 1.10 on the date indicated above and addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on June 7, 2004.



/VERNICE V. FREEBOURNE

August 18, 2004